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UNITED STATES DISTRICT COURT**DISTRICT OF NEVADA**

18 MARIAH MAAS, as Special Administrator for
 19 the Estate of Tiffany Slatsky; MARTIN
 20 SLATSKY, as parent and legal guardian of
 CADE SLATSKY, a minor; MARTIN
 SLATSKY, an individual;

CASE NO.: 2:22-cv-568-GMN-DJA

**STIPULATION AND [PROPOSED] ORDER
 TO STAY DISCOVERY**

21 Plaintiffs,

22 vs.

23 CHRISTOPHER CANDITO, an individual;
 24 ANDREW CLAPPER, an individual;
 25 NICHOLAS ROBISON, an individual;
 26 ANDREW STOCKER, an individual; CITY OF
 NORTH LAS VEGAS, a municipality; DOE
 DEFENDANTS I through XX, and ROE
 CORPORATIONS I through X, inclusive,

27 Defendants..

1 AND ALL RELATED CLAIMS.

2 IT IS HEREBY STIPULATED AND AGREED between the parties, in accordance with LR
3 26-3, that discovery, and all associated deadlines, be stayed pending private, formal mediation. This
4 Stipulation is supported by good cause and is not for the purpose of delay.

5 **I. DISCOVERY COMPLETED TO DATE**

- 6 • Plaintiffs served their initial disclosures on July 20, 2022.
- 7 • Defendants Nicholas Robison, GNLV LLC, and Domain Property Owner LLC, served
8 their initial disclosures on July 20, 2022.
- 9 • Defendants City of North Las Vegas and The North Las Vegas Fire Department served
10 their initial disclosures on July 22, 2022.
- 11 • Defendants Andrew Clapper and Steven Honsowetz served their initial disclosures on
12 August 19, 2022.
- 13 • Defendant Andrew Stocker served his initial disclosures on August 23, 2022.
- 14 • Plaintiffs served their first supplemental disclosure on September 20, 2022.
- 15 • Defendant Domain Property Owner, LLC served their amended initial disclosures and
16 first supplemental disclosure on September 28, 2022.
- 17 • Plaintiffs served their second supplemental disclosure on September 28, 2022.
- 18 • Defendant Steven Honsowetz served his first supplemental disclosure on September 30,
19 2022.
- 20 • Defendant Nicholas Robison served his first supplemental disclosure on October 14,
21 2022.
- 22 • Defendant GNLV LLC served their amended initial disclosures and first supplemental
23 disclosure on October 14, 2022.
- 24 • Defendant CNLV served their first supplemental disclosure on November 18, 2022.
- 25 • Defendant Stocker served his first supplemental disclosure on December 8, 2022.
- 26 • Plaintiffs served their third supplemental disclosure on January 6, 2023, their fourth
27 supplemental disclosure on January 19, 2023, their fifth supplemental disclosure on
28 February 6, 2023, their sixth supplemental disclosure on March 3, 2023, and their seventh
supplemental disclosure on March 13, 2023.
- Defendants CNLV and CNLVFD served their second, third, and fourth supplemental
disclosure on April 4, 2023.

- 1 • Plaintiffs served their eighth supplemental disclosure on April 6, 2023.
- 2 • Defendants CNLV & CNLFVD served their fifth supplemental disclosure on May 19,
- 3 2023.
- 4 • Plaintiffs served their ninth supplemental disclosure on June 15, 2023.
- 5 • Defendants CNVL and CNLVFD served their sixth supplemental disclosure on June 22,
- 6 2023 and their seventh supplemental disclosure on July 24, 2023.
- 7 • Defendants CNLV and CNLVFD served their nineth supplemental disclosure on
- 8 September 11, 2023.
- 9 • Plaintiffs' served their tenth supplemental disclosure on November 17, 2023.
- 10 • CNLV and CNLVFD served their tenth supplemental disclosure on October 29, 2023.
- 11 • Defendants CNLV and CNLVFD served its eleventh supplemental disclosure on
- 12 December 14, 2023 and their twelfth supplemental disclosure on December 15, 2023.
- 13 • Plaintffs served their eleventh supplemental disclosure on February 21, 2024.
- 14 • Defendant CNLV served its thirteenth supplemental disclosure on February 27, 2024.
- 15 • Plaintiffs served their twelfth supplemental disclosure on April 1, 2024.
- 16 • On April 3, 2024 Defendant CNLV served their fourteenth supplemental disclosure.
- 17 • On August 31, 2022, Plaintiffs served their first set of Interrogatories and Request for
- 18 Production of Documents to all Defendants.
- 19 • On September 7, 2022, Plaintiffs Noticed the Depositions of Defendants Clapper,
- 20 Honsowetz, Stocker, and Robison.
- 21 • On September 8, 2022, Plaintiffs served the Henderson Police Department with a
- 22 Subpoena *Duces Tecum*. The documents were received on September 19, 2022, and
- 23 supplemented to all parties.
- 24 • On September 9, 2022, Plaintiffs served the Clark County Coroner / Medical Examiner
- 25 with a Subpoena *Duces Tecum*. The documents were received on September 14, 2022,
- 26 and supplemented to all parties.
- 27 • On September 9, 2022, Plaintiffs served the Las Vegas Nevada DEA's Office with a
- 28 Subpoena *Duces Tecum*. The Las Vegas DEA Office asked for a thirty (30) day extension
- on September 15, 2022, and a two (2) week extension on October 20, 2022. No
- documents were produced in response to the Subpoena *Duces Tecum*.
- On September 29, 2022, Domain Property Owner LLC served their responses to
- Plaintiffs' first set of discovery requests.

- 1 • On September 30, 2022, Defendant Steven Honsowetz served his responses to Plaintiffs' 2 first set of discovery requests.
- 3 • On October 14, 2022, Defendants GNLV LLC and Nicholas Robison served their 4 responses to Plaintiffs' first set of discovery requests.
- 5 • On November 1, 2022, Defendant Andrew Stocker served his responses to Plaintiffs' first 6 set of discovery requests.
- 7 • On November 3, 2022, Plaintiffs served their *Request for Entry Upon Land for Inspection* 8 *and Other Purposes* to inspect Suite 5655 at The Golden Nugget Hotel and Casino.
- 9 • On November 4, 2022, Defendants CNLV and The North Las Vegas Fire Department 10 served their first set of Interrogatories, Requests for Admissions, and Requests for 11 Production of Documents to Plaintiffs and Defendants Clapper and Honsowetz.
- 12 • On November 4, 2022, Plaintiffs served the Division of Counsel for the DEA with an 13 Amended Subpoena *Duces Tecum*. The documents were received on December 23, 2022, 14 and supplemented to all parties.
- 15 • On November 4, 2022, Plaintiffs served the Las Vegas Metropolitan Police Department 16 with a Subpoena *Duces Tecum*.
- 17 • On November 10, 2022, Plaintiffs served the Las Vegas Metropolitan Police Department 18 with an Amended Subpoena *Duces Tecum*.
- 19 • On November 28, 2022, Defendant Clapper served his responses to Plaintiff's first set of 20 Interrogatories and Request For Production of Documents.
- 21 • On December 5, 2022, Defendant Honsowetz served his responses to CNLV's first set of 22 Interrogatories, Requests for Admissions, and Requests for Production of Documents.
- 23 • On December 7, 2022, Defendant Honsowetz served his first supplemental responses to 24 CNLV's first set of Requests for Production of Documents.
- 25 • On December 22, 2022, Plaintiffs served their First Amended Deposition Notices to 26 Defendants Steven Honsowetz, Andrew Stocker, Nicholas Robison, and Andrew 27 Clapper.
- 28 • On January 6, 2023, Plaintiffs served their responses to CNLV's First Set of 29 Interrogatories, Requests for Admission, and Requests for Production of Documents.
- 30 • On January 23, 2023, Plaintiffs served their Second Amended Deposition Notice to 31 Defendant Andrew Stocker.
- 32 • On February 7, 2023, Plaintiffs took the videotaped deposition of Defendant Steven 33 Honsowetz.

- 1 • On February 9, 2023, Plaintiffs' served their Second Amended Deposition Notice to
2 Defendant Nicholas Robison.
- 3 • On February 9, 2023, Plaintiffs took the videotaped deposition of Defendant Andrew
4 Stocker.
- 5 • On February 16, 2023, Plaintiffs served their First Set of Requests for Production of
6 Documents to Defendant CNLVFD.
- 7 • On February 16, 2023, Plaintiffs served their Second Set of Requests for Production of
8 Documents to Defendants Candito, Clapper, Honsowetz, Robison, Stocker, and CNLV.
- 9 • On February 24, 2023, Plaintiffs served their Deposition Notice to Irina Hansen.
- 10 • On March 3, 2023, Plaintiffs served their Third Amended Deposition Notice to
11 Defendant Nicholas Robison.
- 12 • On March 13, 2023, Plaintiffs served their Third Set of Requests for Production of
13 Documents to Defendant CNLV.
- 14 • On March 14, 2023, Plaintiffs served their Deposition Notice to Defendant Christopher
15 Candito.
- 16 • On March 14, 2023, Plaintiffs served their Second Amended Deposition Notice to
17 Defendant Andrew Clapper.
- 18 • On March 15, 2023, Plaintiffs' served Micha Reyes with an Subpoena *Duces Tecum*.
- 19 • On March 16, 2023, Defendant Honsowetz and Clapper served their responses to
20 Plaintiffs' Second Set of Requests for Production of Documents.
- 21 • On March 17, 2023, Defendant Robison served his responses to Plaintiffs' Second Set of
22 Requests for Production of Documents.
- 23 • On March 20, 2023, Defendant Stocker served his responses to Plaintiffs' Second Set of
24 Requests for Production of Documents.
- 25 • On March 22, 2023, Plaintiffs served the International Association of Fire Fighters Local
26 1607 with an Subpoena *Duces Tecum*. The documents were received on March 23, 2023,
27 and supplemented to all parties.
- 28 • On March 24, 2023, Plaintiffs served their Fourth Amended Deposition Notice to
 Defendant Nicholas Robison.
- On April 4, 2023, Defendant CNLV served their responses to Plaintiffs Second Set of
 Requests for Production of Documents.

- 1 • On April 12, 2023, Defendant CNLV served their responses to Plaintiff's Third Set of
2 Requests for Production of Documents.
- 3 • On April 17, 2023, Plaintiffs served their Notice of Deposition of Micah Reyes.
- 4 • On April 27, 2023, Plaintiffs served their First Amended Notice of Deposition of
5 Defendant Candito, their Third Amended Notice of Deposition of Andrew Clapper, and
6 their First Amended Notice of Deposition of Micah Reyes.
- 7 • On May 15, 2023, Defendant CNLV served their Notice of Deposition for Plaintiff
8 Mariah Maas and Tamara Slatsky.
- 9 • On May 24, 2023, Defendant CNLV served their Notice of Deposition for Plaintiff
10 Martin Slatsky.
- 11 • On May 24, 2023, Plaintiffs served their Fifth Amended Notice of Deposition to
12 Defendant Robison.
- 13 • On June 15, 2023, Plaintiffs served their Third Set of Request of Production of
14 Documents to Defendants Robison, Clapper, Stocker, and Candito and served their
15 Fourth Set of Requests for Production of Documents to Defendant CNLV.
- 16 • On June 30, 2023 Defendant Stocker served his responses to Plaintiffs' Third Set of
17 Requests for Production of Documents.
- 18 • On July 14, 2023, Defendants Robison and Clapper served their responses to Plaintiffs'
19 Third Set of Requests for Production of Documents.
- 20 • On July 24, 2023, Defendant CNLV served their responses to Plaintiffs' Fourth Set of
21 Requests for Production of Documents.
- 22 • On July 24, 2023, Defendant Robison served his First Supplemental Response to
23 Plaintiffs' First Set of Requests for Production of Documents.
- 24 • On August 25, 2023, Plaintiffs served their Fifth Set of Requests for Production to
25 Defendant CNLV.
- 26 • On September 25, 2023, Defendant Clapper served his Responses to Plaintiff's Fourth
27 Set of Request for Production and Defendant CNLV served their responses to Plaintiffs'
28 Fifth Set of Request for Production.
- On October 13, 2023, Defendant Stocker served his Responses to Plaintiffs' Fourth Set of
Requests for Production.
- On November 6, 2023, Defendant CNLV served its notice to take the deposition of
Detective Calvano.

- 1 • On November 17, 2023, Plaintiffs served their Tenth Supplemental Disclosures.
- 2 • On November 29, 2023, Defendant CNLV served its Tenth Supplemental Disclosures.
- 3 • On December 5, 2023, Plaintiffs served their Second Amended Notice of Taking The
- 4 Deposition of Christopher Candito.
- 5 • On December 29, 2023, Plaintiffs served their Sixth Set of Request for Production of
- 6 Documents and their First Set of Requests for Admission to Defendant CNLV.
- 7 • On January 29, 2024, Defendant CNLV served their responses to Plaintiffs' Sixth Set of
- 8 Requests for Production of Documents and First Set of Requests for Admission.
- 9 • On March 4, 2024, Plaintiffs served their First Set of Requests for Admission and Second
- 10 Set of Interrogatories to Defendant Robison. Plaintiffs served their Second Set of
- 11 Interrogatories to Defendants Robison and Stocker. Plaintiffs also served their Seventh
- 12 Set of Requests for Production of Documents to CNLV.
- 13 • On March 28, 2024 Plaintiffs, Defendant CNLV, Defendant Robison, and Defendant
- 14 Clapper served their Initial Expert Disclosures.
- 15 • On April 2, 2024, Defendant Stocker served his responses to Plaintiffs' Second Set of
- 16 Interrogations.
- 17 • On April 3, 2024, Defendant CNLV served their responses to Plaintiffs' Seventh Set of
- 18 Requests for Production of Documents
- 19 • On April 4, 2024, Defendant Robison served his responses to Plaintiffs' First Set of
- 20 Requests for Admission and Second Set of Interrogatories.

II. DISCOVERY YET TO BE COMPLETED

The Parties have yet to complete the following discovery (individual or 30(b)(6) designees);

- 21 • the depositions of fact witnesses;
- 22 • subpoenas *duces tecum* and the depositions of third-party percipient witnesses;
- 23 • expert witness depositions;
- 24 • additional written discovery which may include written discovery to one another and/or
- 25 additional subpoenas to third parties; and
- 26 • Any additional discovery the parties wish to conduct.

The Parties reserve the right to conduct additional discovery that is permitted by the Federal Rules of Civil Procedure.

1 **III. LEGAL STANDARD AND REASONING**

2 The Court has the inherent power to control its docket, including the discretion to stay
3 proceedings. *Landis v. N. Am. Co.*, 299 U.S. 248, 254-55 (1936). The determination of whether to
4 stay proceedings is best determined by weighing the competing interests of the parties and the
5 Court. Id. “Among those competing interests are the possible damage which may result from the
6 granting of a stay, the hardship or inequity which a party may suffer in being required to go
7 forward, and the orderly course of justice measured in terms of the simplifying or complicating of
8 issues, proof, and questions of law which could be expected to result from a stay.” *Lockyer v.*
9 *Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir.2005).

10 Here, there is a general understanding of the potential for settlement, and all parties believe
11 a good faith effort in settlement conference may achieve settlement. All parties would like to avoid
12 incurring the expense of proceeding with the remaining discovery if it can be avoided through
13 settlement. The parties believe a mediation with a neutral third party mediator may be helpful to
14 achieve settlement. This stipulation represents the shared interests of the parties. Additionally, it
15 would be beneficial to the Court and its docket if the parties are able to achieve a settlement during
16 the period of the stay. As such, the parties seek to stay discovery pending the completion of a
17 private mediation.

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1 Parties have agreed that, should the matter fail to be resolved in a private mediation, all
 2 scheduling order deadlines will be extended as follows:

	<u>Current</u>	<u>Proposed</u>
Discovery cut off	5/27/24	90 days after an unsuccessful mediation
Deadline to amend pleadings and add parties	11/29/23	CLOSED
Deadline for initial expert disclosures	3/28/24	CLOSED
Deadline for rebuttal expert disclosures	4/29/24	60 days after an unsuccessful mediation
Deadline to file dispositive motions	6/26/24	120 days after an unsuccessful mediation
Deadline to file pre-trial order	7/26/24	150 days after an unsuccessful mediation

14 IT IS HEREBY STIPULATED, by and through the Parties, that this case shall be stayed
 15 pending the outcome of private mediation. Upon conclusion of the mediation, if needed the Parties
 16 will meet and confer regarding a revised discovery schedule.

18 DATED this 8th day of April 2024.

19 **LAGOMARSINO LAW**

20 */s/ Taylor Jorgensen*
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 Attorneys for Plaintiffs

DATED this 8th day of April 2024.

LAW OFFICE OF DANIEL MARKS

/s/ Adam Levine
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DATED this 8th day of April 2024.

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/s/ Robert Freeman

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DATED this 8th day of April 2024.

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/s/ Joseph Meservy

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JOSEPH R. MESERVY, ESQ. (#14088)
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Attorneys for Defendant Nicholas Robison

DATED this 8th day of April 2024.

**LAURIA TOKUNAGA GATES & LINN,
LLP**

/s/ Raymond Gates

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Attorneys for Defendant Andrew Clapper

DATED this 8th day of April 2024.

CHRISTOPHER CANDITO

/s/ Christopher Candito

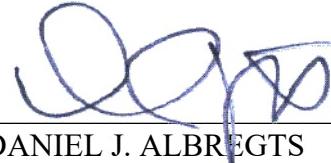
CHRISTOPHER CANDITO
Pro Se

ORDER

IT IS THEREFORE ORDERED that the parties' stipulation (ECF No. 94) is **granted in part and denied in part**. It is denied in part regarding the parties' proposed schedule in the event they do not settle. This schedule is not tethered to any deadlines and is based on the contingency that the parties do not settle. The Court is not inclined to grant this type of prospective relief. The stipulation is granted in all other respects.

IT IS FURTHER ORDERED that the parties must file a status report on or before **May 9, 2024** regarding the status of mediation and if any action is needed by the Court.

IT IS FURTHER ORDERED that, if the parties do not settle at mediation, they must meet and confer and submit a new stipulated discovery plan within **fourteen days** of the unsuccessful mediation.



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: April 10, 2024